

REMARKS

Upon entry of the present amendment, claims 1-8 will remain pending in the above-identified application and stand ready for further action on the merits.

New Matter Objection

The amendment filed on February 10, 2003 has been objected to under 35 USC § 132 as introducing new matter into the disclosure. Reconsideration and withdrawal of this objection is requested based on the following considerations.

The changes made to the table at page 23 of the specification (i.e., Table 3) did not incorporate new matter into the application as originally filed. Specifically, the changes made in Table 3 find support in the original Japanese language specification of the international patent application (PCT/JP00/01742) filed on March 22, 2000, of which the present application is a national phase application under 35 USC § 371 and 37 CFR 1.494 or 1.495.

Accordingly, it is believed that the USPTO may have misunderstood the situation regarding support for the amendment made to Table 3 in the specification. In this respect, the support does not come from Applicants' original Japanese Priority Document (JP 11-362413) filed on December 21, 1999, but instead as indicated above comes from the original Japanese language PCT application

(PCT/JP00/01742) of which the present application is the national phase application thereof.

New Table 3

At page 2 of the Office Action, in the final paragraph, final sentence, the Examiner indicates that the word "impregnation" should be retyped in Table 3. This amendment had been made to Table 3 as suggested by the Examiner.

Provisional Request for Interview

Should the present response not place the Application in immediate condition for allowance, the Examiner is respectfully requested to contact the undersigned to schedule a personal interview at the USPTO. In this respect, Applicants' representative previously contacted the Examiner by telephone on July 23, 2003 to informally discuss the outstanding rejection and the fact that Applicants were not relying for support of the amendment to Table 3 based upon JP 11-362413, but instead the Japanese language original PCT Application (PCT/JP00/01742). Thus, should the USPTO wish to maintain the outstanding new matter rejection, it is believed that a personal interview at the USPTO should be granted, in order to fully resolve any outstanding issues

that remain after a proper consideration of the present response.

CONCLUSION

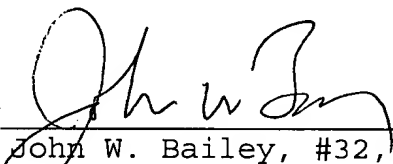
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By


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JWB/enm
0649-0800P

Attachment: Table 3

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Table 3

| | Comp. Ex. 1 | Comp. Ex. 2 | Comp. Ex. 3 | Comp. Ex. 4 |
|--|----------------|------------------------|------------------------|------------------------|
| Structure of hydrogenated block copolymer | - | V | VI | VII |
| Hydrogenated block copolymer (parts) | 0 | 6 | 6 | 6 |
| HIPS (wt.%) | 70 | 70 | 70 | 70 |
| b-PP (wt.%) | 30 | 30 | 30 | 30 |
| Elongation at break (%) | 3 | 15 | 30 | 21 |
| Heat deformation temperature (°C) | 106 | 106 | 107 | 108 |
| Flexural modulus (kgf/cm ²) | 19000 | 15800 | 16500 | 14000 |
| Oil resistance (°C) | 70 | 81 | 86 | 83 |
| Phase separation structure | sea-island | Mutual impregnation | Mutual impregnation | Mutual impregnation |
| Existing ratio (%) of block copolymer on interface | - | 30 | 45 | 40 |